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REMARKS

Claims 34-168 are pending. The Examiner, in the Election Requirement, has required election of one of ten alleged distinct species. (Election Requirement, page 2). In particular, election as between volume, area, thickness, curvature, geometry, water content, sodium content, hyaluronic acid, signal intensity and relaxation time is required. Furthermore, it is noted that these claims will be restricted into 10 separate groups if no generic claim is finally held to be allowable. (Election Requirement, page 3).

Applicants provisionally elect, with traverse, geometry (species V), which reads on claims 94-108.

Applicants traverse on the grounds that it would not unduly burdensome to search all allegedly distinct species together. Indeed, in view of the fact that the pending claims relate to individual members of Markush Groups set forth in previously allowed claims, a search for all allegedly distinct species has already been conducted. The already-conducted search of the art for methods of treating human joint disease involving cartilage by evaluating information from an electronic image as claimed using any type of information set forth the claims would (and did in the previous search) necessarily reveal art relevant to volume, area, thickness, curvature, geometry, water content, sodium content, hyaluronic acid, signal intensity and relaxation time. Thus, because searching would be in no way burdensome and has already been done for all allegedly distinct species, Applicants submit that the election of species requirement is improper and should be withdrawn entirely.

Finally, it is to be understood that the election of species is for the purposes of preliminary search and examination only, and that upon allowance of a generic claim (e.g., claim 169), Applicants will be entitled to consideration of claims to the additional species.

Respectfully submitted,

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